



RE/CO 55022 DIV (71526)

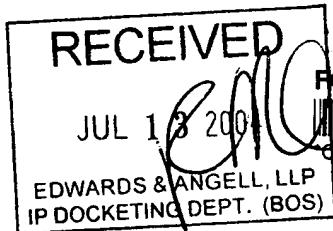
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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/625,821	07/22/2003	Satoshi Mori	55022-DIV (71526)

Peter F. Corless
EDWARDS & ANGELL, LLP
P.O. BOX 55874
BOSTON, MA 02205



CONFIRMATION NO. 7795
FORMALITIES LETTER



0000000013185114*

Date Mailed: 07/09/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

SEQUENCE LISTING
Edwards & Angell LLP

101 Federal St. Boston, MA 02110

Docketed For

By

Approved

*A copy of this notice **MUST** be returned with the reply.*

R. Crandall
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



09-09-04

IFW

Docket No. 55022-DIV (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: S. Mori et al.

SERIAL NO. 10/625,821 GROUP: 1638

FILED: July 22, 2003 EXAMINER: Not Yet Assigned

FOR: METHOD FOR TRANSFORMING PLANT, THE RESULTANT
PLANT AND GENE THEREOF

MAIL STOP: Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV 437 821 447 US

Date of Deposit September 7, 2004

I hereby state that the following *attached* papers

1. Response to Notice To Comply;
2. Copy of Notice to Comply;
3. Statement to Support Sequence Listing;
4. Sequence Listing (paper and diskette); and
5. Return Receipt Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA , 22313-1450.

Lee Dunkle

Typed or printed name of person mailing paper or fee

Signature of person mailing paper or fee

NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail" Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.



Docket No. 55022-DIV (71526)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: S. Mori et al.

SERIAL NO. 10/625,821 GROUP: 1638

FILED: July 22, 2003 EXAMINER: Not Yet Assigned

FOR: METHOD FOR TRANSFORMING PLANT, THE RESULTANT PLANT AND GENE THEREOF

**MAIL STOP: Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,
AND/OR AMENDMENT PERTAINING THERETO
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE**

(check and complete this item, if applicable)

1. This replies to the Office Letter DATED July 9, 2004.

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the application number from the return post card or the attorney's docket number added.

A copy of the Office Letter is enclosed.

IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Christine C. O'Day
(type or print name of person signing below)
state the following:

ITEMS BEING SUBMITTED

3. Submitted herewith is/are:

(check each item as applicable)

A. "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application.

Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. Section 1.821(c) and 37 C.F.R. Sections 1.822 and 1.823.

- B. [] An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. Section 1.821(d).
- C. [X] A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. Sections 1.821(e) and 1.824.
- D. [] Please transfer to this application, in accordance with 37 C.F.R. Section 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:
Application No.:
Filed:
For:

The Computer readable form(s) of applicant's other application corresponds to the "Sequence Identifier(s)" of the application as follows:

Computer Readable Form (other application)	"Sequence Identifier" (this application)
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NOTE: "If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference maybe made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified." 37 C.F.R. Section 1.821(e).

- E. [X] A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. Section 1.821(g).
 - [] Because the statement is not made by a person registered to practice before the Office, the Statement is verified as required in 37 C.F.R. Section 1.821(b).
- F. [] Because this submission is made in fulfilling the requirement under 37 C.F.R. Section 1.821(g), a statement that the submission includes no new matter.
 - [] Because the statement is not made by a person registered to practice before the Office, the statement is verified, as required in 37 C.F.R. Section 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"
AND COMPUTER READABLE COPY ARE THE SAME
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

(complete applicable item A and/or B)

- A. Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.
- B. All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

STATUS

5. Applicant is

- a small entity.
- other than a small entity.

EXTENSION OF TERM

6.

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

7. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(complete (a) or (b) as applicable)

(a) [] Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 400.00	\$ 200.00
[] three months	\$ 920.00	\$ 460.00
[] four months	\$1,440.00	\$ 720.00

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[] An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

OR

(b) [X] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

FEE PAYMENT

8. [] Attached is a check in the sum of \$ _____.

[] Charge Account No. _____ the sum of \$ _____.
A duplicate of this transmittal is attached.

FEE DEFICIENCY

9.

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

10. [X] If any additional extension and/or fee is required, charge Account No. 04-1105.

SIGNATURE(s)

Christine C. O'Day
(type or print name of person signing statement)
Christine C. O'Day
Signature

9-7-04

Date

EDWARDS & ANGELL, LLP
P.O. Box 55874

P.O. Address of Signatory
Boston, MA 02205

(If applicable)

Tel. No.: (617) 439-4444

Reg. No. 38,256

Customer No.: 21874

- Inventor
- Assignee of complete interest
- Person authorized to sign on behalf of assignee
- Practitioner of record
- Filed under Rule 34(a)
- Registration No.
- Other

(complete the following, if applicable)

(type name of assignee)

Address of assignee

Title of person authorized to sign on behalf of assignee

A "STATEMENT UNDER 37 C.F.R. Section 3.73(b)" is attached.

Assignment recorded in PTO on _____

Reel _____ Frame _____